

**INLAND WETLANDS AGENCY  
REGULAR MEETING MINUTES**

**APRIL 18, 2005**

**PRESENT:** Ken Braga, Kim Flannery, Donald McConnell and Alternates Christine Murphy, Steven Hoffman and Jean Burns

**ABSENT:** Sanford Cohen, Margo Wheeler and Adam Barber

**STAFF**

**PRESENT:** Matt Davis, Town Planner and Kristin Michaud, Recording Secretary

**I. CALL TO ORDER:**

Chairman Braga called the Inland Wetlands Agency (IWA) meeting to order at 7:30 PM at the Ellington Town Hall Annex, 57 Main Street, Ellington, CT and read the legal notice into record.

**II. PUBLIC COMMENTS: NONE**

**III. PUBLIC HEARINGS:**

1. #IW200501 – Capstone Builders, Inc. for a Permit to Conduct Regulated Activity within an Area of Influence for an 9-lot subdivision on property located at 14 South Road, APN 111-008-0000.

**TIME:** 7:35

**SEATED:** K. Braga, K. Flannery, D. McConnell, C. Murphy, S. Hoffman, J. Burns

Mark Peterson, Gardner & Peterson, came forward and submitted a revised plan. He reviewed the new plan with the commission.

Attorney Joe Capossela reviewed the peak flows on the property.

Chairman Braga read North Central District Health Department letter dated 4/18/05.

Chairman Braga explained that lots 6, 7, 8 and 9 were wet and required additional curtain drains. Mark Peterson explained that they will build a berm.

Matt Davis, Town Planner noted that all activity was located within the upland review area, and that the Inland Wetland Commission can regulate those activities, but only to the extent actual impacts on the Wetlands and/or a watercourse would result.

**MOVED (MCCONNELL), SECONDED (FLANNERY) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #IW200501 – CAPSTONE BUILDERS, INC.**

**MOVED (HOFFMAN), SECONDED (FLANNERY) AND PASSED UNANIMOUSLY TO APPROVE #IW200501 – CAPSTONE BUILDERS, INC.**

2. #IW200503 – Development Services, LLC for a Permit to Conduct Regulated Activity within an Area of Influence for a 20-lot subdivision on property located at 33 Newell Hill Road, APN 127-014-0000.

**TIME:** 7:50

**SEATED:** K. Braga, K. Flannery, D. McConnell, C. Murphy, S. Hoffman, J. Burns

Attorney Walter Twachtman, came forward for the applicant.

Pat Gorman, LRC Group, explained that they changed the basin due to Jim Thompson's recommendations. He also explained there are no wetlands or watercourses on the property, there is some surface water but no wetlands and that ground water was not a problem on site. There is ledge on the property and therefore they will build a few homes on slabs.

Several members of the public expressed their concerns with the development, most of which concerned matters under Planning & Zoning Commission concern.

**MOVED (HOFFMAN), SECONDED (MCCONNELL) AND PASSED UNANIMOUSLY TO CLOSE THE PUBLIC HEARING FOR #IW200503 – DEVELOPMENT SERVICES, LLC.**

**MOVED (MCCONNELL), SECONDED (MURPHY) AND PASSED UNANIMOUSLY TO APPROVE #IW200503 – DEVELOPMENT SERVICES, LLC.**

3. #IW200507 – Pioneer Builders of Ellington, Inc. for a Permit to Conduct Regulated Activity within an Area of Influence for a 49 unit Age Restricted Cluster Housing development on property located at 22 Maple Street, APN 073-014-0000.

**TIME:** 8:30

**SEATED:** K. Braga, K. Flannery, D. McConnell, C. Murphy, S. Hoffman, J. Burns

Attorney Joe Capossela came forward for the applicant.

Andy Carrier, Fuss & O'Neil, reviewed the plan with the commission. He explained there is flagging of the Wetlands and the area is channelized. They will leave the wetland pockets alone and they would like to add wetland plants in the wetland pockets. There is only .25 acres of wetland that will be disturbed. They will need wetland permits to cross the wetlands in 2 locations and to work within the upland review area.

Chairman Braga wants to see what plantings will be done and how they can protect the wetlands (i.e. conservation easement). He would like to see a physical barrier around the wetlands.

Robert Thompson, 56 Maple Street, explained that the wetlands are not pockets but wetlands. He noted concerns with the ground water elevations.

Ernie Boothroyd, 5 Hare Road, said the land is used for farming and presented a map from 1949 to the commission. He also explained that the ball fields once proposed was turned down unanimously by the commission. He also noted his concerns on the coming global oil crisis.

**MOVED (HOFFMAN), SECONDED (MCCONNELL) AND PASSED UNANIMOUSLY TO CONTINUE THE PUBLIC HEARING TO THE MAY 16, 2005 MEETING FOR #IW200507 – PIONEER BUILDERS OF ELLINGTON, INC.**

**VI. UNFINISHED BUSINESS:**

1. #IW200502 – Antonio Sabatini for a Permit to Conduct Regulated Activity within an Area of Influence to expand parking lot on property located at 192 Windsorville Road, APN 009-066-0000.

Mark Hoffman, Landmark Surveys came forward for the applicant and stated that they will dig the basin deeper, and are only asking to add a small paved area. The planner noted the site is at the maximum impervious.

**MOVED (FLANNERY), SECONDED (MURPHY) AND PASSED UNANIMOUSLY TO APPROVE WITH CONDITION #IW200502 – ANTONIO SABATINI.**

**CONDITION: STORM WATER BASIN TO BE COMPLETED BY JUNE 1, 2005.**

2. Discussion regarding Kement gravel pit located on Broad Brook Road.

The commission received copies of the Kement 3/17/05 written response to the planning department's inquiry. Matt Davis, Town Planner explained that the Kements are open to having a soil scientist and they are moving forward. He will contact Mr. Kement to schedule a date to inspect the site with the soil scientist.

**V. NEW BUSINESS:**

1. **MOVED (MCCONNELL), SECONDED (FLANNERY), AND PASSED UNANIMOUSLY TO ADD BY VOICE VOTE EDWARD DECARLI #IW200511 FOR RECEIPT ONLY.**
2. #IW200510 – Matthew Maznicki for a Permit to Conduct Regulated Activity within an Area of Influence for an 8' x 12' shed on property located at 72 Hoffman Road, APN 120-025-0000. **(RECEIPT ONLY)**

**BY CONSENSUS, THE AGENCY RECEIVED APPLICATION #IW200510.**

3. #IW200508 – Toll Brothers, Inc. for a Permit to Conduct Regulated Activity within an Area of Influence for a residential dwelling on property located at 2 Oak Hill Farms Road, APN 047-034-0003.

**AT THE REQUEST OF THE APPLICANT, APPLICATION #IW200508 HAS BEEN WITHDRAWN.**

4. #IW200509 – Toll Brothers, Inc. for a Permit to Conduct Regulated Activity within an Area of Influence for a residential dwelling on property located at 1 Oak Hill Farms Road, APN 047-034-0002.

**AT THE REQUEST OF THE APPLICANT, APPLICATION #IW200509 HAS BEEN WITHDRAWN.**

5. #IW200506 – Dwight Walker for a Permit to Conduct Regulated Activity within an Area of Influence for placement of sheds for horses on property located at 26 Main Street, APN 064-007-0000.

Dwight Walker came forward and explained his plan to the commission. He said the sheds will be moveable. The planner noted that the approval must be limited to the sheds shown on the plan and or the locations and sizes shown. Mr. Walker agreed to that requirement.

**MOVED (MURPHY), SECONDED (HOFFMAN) AND PASSED UNANIMOUSLY TO FIND AS A NON-SIGNIFICANT ACTIVITY WITHIN THE UPLAND REVIEW AREA AND APPROVE #IW200506 – DWIGHT WALKER.**

6. #IW200505 – Taymil Partners for a Permit to Conduct Regulated Activity within an Area of Influence for sewer installation on property located at 144 – 147 Pinney Street, APN 035 -002-0000, 035-014-0000.

Bob Johnston, Dutton & Johnston, reviewed the plan with the commission. There will be no water crossings. The need for the installation is to correct impacts/violations caused by failing septic systems.

**MOVED (HOFFMAN), SECONDED (FLANNERY) AND PASSED UNANIMOUSLY TO FIND AS A NON-SIGNIFICANT ACTIVITY WITHIN THE UPLAND REVIEW AREA AND APPROVE #IW200505 – TAYMIL PARTNERS.**

#### **IV. ADMINISTRATIVE BUSINESS:**

1. Discussion: Bruce Luginbuhl Wetland Violation Status (Ludwig Road).

**NO MOTIONS OR DECISIONS MADE.**

2. Review of proposed subdivision on Shenipsit Lake Road, Tolland (abuts Ellington).

**NO MOTIONS OR DECISIONS MADE.**

3. Approval of the March 21, 2005 meeting minutes.

**MOVED (MURPHY), SECONDED (FLANNERY) AND PASSED UNANIMOUSLY TO APPROVE THE MARCH 21, 2005 MEETING MINUTES.**

4. Correspondence:
  - a. Memo to the Board of Selectman from Zoning Board of Appeals dated, 3/21/05. (memo to town attorney regarding fee waivers)
  - b. Memo to Dennis Milanovich from Matt Davis dated, 3/21/05. (Board of Selectman meeting minutes).
  - c. Letter to Dan Bahler from Cori Rose dated 3/23/05. (Permit)
  - d. Memo to Dennis Milanovich from Edgar Hurle dated, 3/23/05. (Statewide Drainage Maintenance Plan)
  - e. Memo to Finance Department from Matt Davis dated, 3/29/05. (Temporary Part Time Position)
  - f. THE HABITAT, Winter 2005.
  - g. Eastern Connecticut Resource Conservation and Development Area, Inc.
  - h. Letter to Andy Carrier from Jim Thompson dated 3/29/05. (Drainage Report)
  - i. State of Connecticut Department of Environmental Protection, dated April 1, 2005. (DEP State Parks and Field Services Drainage Maintenance Plan)

#### **VII. ADJOURNMENT:**

**MOVED (HOFFMAN), SECONDED (MURPHY) AND PASSED UNANIMOUSLY TO ADJOURN THE MEETING AT 10:00 P.M.**

Respectfully Submitted,

Kristin Michaud  
Recording Secretary